

VZCZCXYZ0006  
PP RUEHWEB

DE RUEHLGB #0970/01 2970756  
ZNY CCCCC ZZH  
P 240756Z OCT 07  
FM AMEMBASSY KIGALI  
TO RUEHC/SECSTATE WASHDC PRIORITY 4818  
INFO RUEHBS/AMEMBASSY BRUSSELS 0156  
RUEHJB/AMEMBASSY BUJUMBURA 0171  
RUEHDR/AMEMBASSY DAR ES SALAAM 0984  
RUEHKM/AMEMBASSY KAMPALA 1739  
RUEHKI/AMEMBASSY KINSHASA 0311  
RUEHLO/AMEMBASSY LONDON 0128  
RUEHNR/AMEMBASSY NAIROBI 1036  
RUEHFR/AMEMBASSY PARIS 0352

C O N F I D E N T I A L KIGALI 000970

SIPDIS

SENSITIVE  
SIPDIS

E.O. 12958: DECL: 10/19/2017  
TAGS: [PGOV](#) [PHUM](#) [RW](#)  
SUBJECT: GACACA GENOCIDE ADJUDICATIONS ON TRACK FOR  
COMPLETION BY END OF 2007

REF: KIGALI 496

Classified By: CDA Cheryl J. Sim for reasons 1.4 (b) and (d).

¶1. (C) Summary. According to officials in Rwanda's National Service of Gacaca Courts, 90 percent of all gacaca cases have been processed and adjudications will be completed by the end of 2007. Processing remaining category one cases (those involving genocide leaders/organizers or those who committed sexual crimes) will strain Rwanda's regular court system and the establishment of a "professionalized" gacaca court is one possible strategy being considered. Other gacaca activities, including the creating of a national archive for all related documents, will be completed by the end of 2008. Violence against genocide survivors and gacaca witnesses and judges has decreased, but continues to be of concern to the national gacaca service. End summary.

¶2. (SBU) On October 18 PolOffs met with Denis Bikesha, Director of Training, Mobilization and Sensitization for the Rwandan National Service of Gacaca Courts, who said 90 percent of all gacaca cases have been processed. He predicted all gacaca cases will be adjudicated by the end of ¶2007. Bikesha shared statistics as of mid-October on the number and status of cases in advance of an official announcement in the coming weeks.

¶3. (SBU) Bikesha said of 516,937 category three cases (those involving loss of property) received by the gacaca courts, about 70 percent have been heard or settled out of court, and that 154,335 cases remained. Of 438,052 category two cases (those involving murder or other serious abuses), 298,187 have been adjudicated and 71,631 cases remain to be heard. The other 70,000-odd cases concern deceased or missing defendants; no adjudication will occur. While the oft-quoted number of total gacaca cases is 818,000, the figures given by Bikesha raise the total figure to over one million cases. When asked about this discrepancy, Bikesha said the numbers of accused rose as adjudicated gacaca cases revealed new suspects and led to new cases.

¶4. (C) Bikesha then referred to the March 1 law which transferred some category one cases (heard by regular courts) to category two gacaca jurisdiction (reftel). He noted that under current estimates, 30,000 to 40,000 category one cases (those not involving leaders/organizers of the genocide or those who committed sexual crimes) would be transferred to category two. As many observers have noted, he said, remaining category one cases would put a great strain on the

regular court system. He said one proposal was to establish "professionalized" gacaca courts, consisting of the better educated gacaca judges, to hear these cases. (Note: Of the 3348 gacaca courts and 1957 gacaca appeals courts now hearing cases, many are comprised of local "persons of integrity" who lack formal education. End note.) Formation of such a court would require revision of the current gacaca law, which must already be changed to reflect Rwanda's recent abolition of the death penalty in the penal code, he commented.

¶5. (U) Bikesha also referred to the Government of Rwanda's strategy for completion of all gacaca activities. Following projected completion of case adjudication by the end of 2007, between January and March 2008, all courts will "officially close" throughout Rwanda. By September of 2008, all gacaca documents will be placed in a national archive in Kigali, and by December 2008 a final report on the gacaca process will be issued and an international conference held.

¶6. (U) Separately, Bikesha confirmed recent press accounts of the murder of a gacaca judge and genocide survivor in the Southern Province. Bikesha said murders of genocide survivors and gacaca judges and witnesses in general have decreased, but security is still a concern. Staff from his office work with police and local authorities to identify potential threats against those participating in the gacaca process and to provide sensitization training on violence prevention for local populations. These efforts will continue, especially in those parts of the country where threats remain most severe.

¶7. (SBU) Comment. Bikesha's unofficial statistics provide a general picture of great progress made in adjudicating the large gacaca caseload. However, his figures are somewhat

inconsistent and his estimates of the percentage of completed cases do not exactly correspond with the overall numbers he presented. He and other officials are quick to mention the difficulty obtaining accurate figures given the vast numbers of accused and the thousands of courtrooms scattered throughout the countryside. Nevertheless, in formal and informal communications officials are adamant that adjudications will be finished by year's end. Adhering to this timeline, and resolving the relatively large number of remaining category one cases, will present significant challenges as the gacaca process comes to a close. Violence against gacaca participants is also a challenge for the system; security is a paramount concern for the gacaca service and the Rwandan government as a whole. End comment.  
SIM